Nicholas E. Purpura
1802 Rue De La Port
Wall, New Jersey 07719

January 17, 2017

Hon. Judge John Michael Vazquez
Martin Luther King Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

To be made part of the Official Record
RE: *Purpura v. JPMorgan Chase et al.* Civil RICO Action No. 2:16-cv-03765
"Judicial Intervention"

Dear, Judge Vazquez,

For more than six-months Petitioner's complaint has been before this Honorable Court. Petitioner has been informed that his Petition was fully briefed September 12, and is now before Your Honor. Petitioner is aware of the enormous workload put upon the court. That being said, in the interest of substantial justice and the surrounding circumstances, this case deserves Your Honor's attention if justice is to be served based upon a solid legal application of the law.

On December 23, 2015, Petitioner formally wrote the Hon. Judge Wettre, who misconstrued Petitioner's intent. A copy is attached for Your Honor's convenience. Considering that all the briefings are finalized, Petitioner respectfully requests Your Honor to review the letter attached and intervene.

Based upon irrefutable fact and established law, set forth in the Petition, that conclusively proved fraudulent behavior, as well as violation of the legislative intent (Dodd-Frank Amendments) under TILA's Regulation Z, Defendants deprived Plaintiff of his fundamental rights in violation of their fiduciary duty to adhere to the established banking laws. Coupled with the undeniable fact that Petitioner's opposition proved Defendants' pleadings and exhibits proffered in their Motion to Dismiss, were undeniably fraudulent. The Supreme Court has made it abundantly clear; see: ***Deweese v. Reinhart*** 165 U.S. 386, 390 17 S. Ct. 340, 341, 41 L.ED 757:

> "A court of equity acts only when in good conscience commends; and if the conduct of the plaintiff (in this case defendants) be offensive to the dictate of natural justice, then, whatever may be the rights he possess, and whatever use he may maker of them in court of law, he will be held remediless in a court of equity,"

Also see, ***Bein v. Heath***, 228 247 212 L. ED 416:

> "the equitable powers of this court can never be exerted in behalf of one who acted fraudulently or through deceit or unfair means has gained an advantage, or aid a party in such a case would make the court an a better of inequity."

Notwithstanding the above, it must also be noted the case before Your Honor is a federal RICO action that mandated Defendants present this Honorable Court with an 'affirmative' defense, or by law they forfeit, no so–called technicality can alter that requirement. "*The law is the law, no legal theory exists to dismiss*"

Any further protraction of this action would be patently unfair and a repudiation of justice. It is inarguable, nothing exists that Defendants can proffer will change the fact that they committed fraud upon Petitioner and this Court as did their attorneys.

Wherefore, Petitioner respectfully prays, since no triable facts remain, this Honorable Court rule *sua sponte,* or in the alternative, set forth a date for an immediate trial by jury, as of right, pursuant to Article III, section II, as well as the Seventh Amendment.

Petitioner thanks this Honorable Court in advance for its consideration.

Respectfully submitted,

Nicholas E. Purpura, Chaplain

cc: Buckley Madole, & E. Shapiro

Nicholas E. Purpura
1802 Rue De La Port
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732 449 0856

Hon. Judge Leda Dunn Wettre December 23, 2016
Martin Luther King Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

To be made part of the Official Record

RE: *Purpura v. JPMorgan Chase et al.* Civil RICO Action No. 2:16-cv-03765

Dear Judge Wettre:

I come before you in the interest of justice. It is incontestable that the Defendants failed to answer Plaintiff's Complaint as mandated in ***FRCP*** Rule 8(b)(6), nor did Defendants' counsel answer Plaintiff's Opposition to their Motion to Dismiss as required by law in this RICO Complaint.

What has taken place is unequivocally clear, Defendants have committed fraud not only on Plaintiff, but in kind, on the "judicial machinery" itself. Through an 'unconscionable' scheme to deceive this Court, Defense counsel submitted 4-exhibits (A-D) that were proven to be misrepresentations as well as perjurious. The question is: Did Mr. Sampson verify said evidence as required by law? One does not know whether Mr. Evan Sampson, Esq., was given these documents and unknowingly submitted them as Exhibits 'assuming' their content to be authentic and unimpeachable. He has individually sworn no affidavit in support of their content, so that is for this Court to decide.

A review of Plaintiff's Motion for Summary Judgment, paragraphs 18 to 28, shows Chase's claims are fatally flawed, and no remedy in law exists to fix those flaws. Plaintiff believes his Motion for Summary Judgment may not be "premature", as no further matter of triable fact exists before the Court

Plaintiff reminds this Honorable Court that Justice delayed, is Justice denied. Plaintiff does not believe it is this Court's intention to deny him Justice.

Please if at all possible can this action be expedited? Plaintiff and his wife Pray only to be able to live their lives without this "Sword of Damocles" hanging over our heads.

Respectfully submitted,

Thank you in advance for Your Honor's consideration.

Nicholas E. Purpura, Chaplain

cc: Buckley Madole, Evan Maxwell Sampson, Esq. Cert./return receipt

The Court construes this letter as a motion for reconsideration of its 9/21/16 Order. Such a motion is not timely under L. Civ. R. 7.1(i) and also does not satisfy the standard for granting reconsideration. It is accordingly denied. SO ORDERED. 1/4/17
Leda Wettre, USMJ

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CLERK OFFICE
Hon. Judge John M Vazquez
50 Walnut Street
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